

REMARKS

Claims 1-9, 21-22, and 24-25 are currently pending. Claims 1 and 6 have been amended.

The Examiner objected to the drawings for allegedly failing to illustrate every feature of the invention specified in the claims. While Applicant disagrees with the Examiner's objection, Applicant has added new Fig. 8 illustrating an arrangement of a handle including a slot. In the illustrated construction, the handle and the base are integrally-formed as a single piece and as such, the slot is formed as part of the handle. This is but one example of a handle including a slot. New Fig. 8 does not add new matter as it simply illustrates that which was claimed in original claim 5.

In light of the foregoing, Applicant has traversed the Examiner's objection of the drawings.

The Examiner rejected claims 5 and 6 under 35 U.S.C. §112, second paragraph. The Examiner argues that the claims are indefinite because the base member 130 includes the slot.

Applicant has amended claim 6 to recite that "the handle is coupled to a base that defines a slot." In addition, Applicant has added Fig. 8 to illustrate a construction in which the slot is indeed part of the handle. As such, Applicant has illustrated two different constructions, one in which the handle is coupled to the base as illustrated in Fig. 5 and recited in claim 6, and another in which the handle includes a slot as recited in claim 5 and illustrated in Fig. 8.

In light of the foregoing, Applicant has traversed the 35 U.S.C. § 112 rejections. As such, Applicant respectfully requests the withdrawal of the 35 U.S.C. § 112 rejections.

The Examiner rejected claims 1-9, 21-22, 24, and 25 under 35 U.S.C. §102(b) as being anticipated by Sconzo (U.S. Patent No. 3,107,113).

Amended claim 1 defines a door handle assembly that is attachable to a door that defines a first side, a second side, and an attachment surface. The door handle assembly includes a first cover coupled to the attachment surface and a second cover separate from the first cover and coupled to the attachment surface such that the first cover and the second cover are on the first side of the door. A handle interconnects the first cover and the second cover and includes a first attachment portion and a second attachment portion spaced apart a distance to couple the handle to the door. An actuator is coupled to the door and a latch bolt is coupled to the actuator and is movable along a latch bolt axis between an extended position and a retracted position. An attachment member at least partially defines the second attachment portion and defines an attachment axis that is substantially parallel to the attachment surface. The attachment member is movable along the attachment axis relative to the handle to move the second attachment point between a first position and a second position to vary the distance between the first attachment portion and the second attachment portion.

Sconzo does not teach or suggest a door handle that includes, among other things, a first cover coupled to the attachment surface, a second cover separate from the first cover and coupled to the attachment surface such that the first cover and the second cover are on the first side of the door, and a handle that interconnects the first cover and the second cover. Rather, Sconzo discloses a handle assembly that includes a door knob 11 on one end of a square shaft 13, and a handle 12 on the opposite end. Escutcheon assemblies 14, 15 attach to the door and to one another using two fast nuts 27 and through bolts 35. The fast nuts 27 are movable vertically to aid in the assembly of the door handle. Sconzo teaches the use of a single

escutcheon assembly on either side of the door. As such, the arrangement of Sconzo does not include two housings on the first side of the door.

In light of the foregoing, Sconzo does not teach or suggest each and every limitation of claim 1. As such, claim 1 is allowable. In addition, claims 2-6 depend from claim 1 and are also allowable.

Claim 7 defines a door handle assembly that is attachable to a first side of a door. The door handle assembly includes a first cover directly connected to the first side of the door, a second cover separate from the first cover and directly connected to the first side of the door, and a handle coupled to the first cover and the second cover. An actuator is coupled to the door, and a latch bolt is coupled to the actuator and is movable along a latch bolt axis between an extended position and a retracted position. An attachment member defines an attachment axis. The attachment member is movable relative to the handle between a first position and a second position. The handle includes a base that defines a slot, and the attachment member includes a T-shaped slider slidably engageable with the slot.

Sconzo does not teach or suggest, among other things, a door handle assembly that includes a first cover directly connected to the first side of the door and a second cover separate from the first cover and directly connected to the first side of the door. Rather, Sconzo discloses a door handle assembly that includes a door knob 11 and a door handle 12 interconnected by a square shaft 13. Two escutcheon assemblies 14 and 15 are coupled to one another and disposed on opposite sides of the door. Thus, neither side of the door includes a first cover and a second cover separate from the first cover, as recited in claim 7.

In light of the foregoing, Sconzo does not teach or suggest each and every limitation of claim 7. As such, claim 7 is allowable. In addition, claims 8-9 depend from claim 7 and are also allowable.

Claim 21 defines a door handle assembly that is attachable to a door that defines an attachment surface. The door handle assembly includes a handle having a first end defining a first attachment portion and a second end defining a second attachment portion spaced a distance from the first attachment portion. The first attachment portion and the second attachment portion are coupled to the door to fix the position and orientation of the handle with respect to the door. A base is fixedly attached to the second end. The base defines a slot. An attachment member is coupled to the second end to at least partially define the second attachment portion and has an orientation that is substantially fixed with respect to the second end. The attachment member is movable within a plane that is substantially parallel to the attachment surface to vary the distance between the first attachment portion and the second attachment portion. The slot defines an adjustment axis that extends along a line between the first end and the second end.

Sconzo does not teach or suggest, among other things, a door handle having a first attachment portion and a second attachment portion that are coupled to a door to fix the position and orientation of the handle with respect to the door. Rather, Sconzo discloses a door latch assembly that includes a door knob 11 and a door handle 12 interconnected by a square shaft 13. Two escutcheon assemblies 14 and 15 are coupled to one another and disposed on opposite sides of the door. The Examiner identifies the handle as including the door knob 11, the door handle 12, and the two escutcheon assemblies 14, 15. The Examiner argues that Sconzo indeed discloses a system in which the position and orientation of the

handle is fixed with respect to the door. However, as is well known, the handles 11, 12 of Sconzo must change orientation (i.e., turn) with respect to the door to allow a user to open the door. If the position and orientation of the handle of Sconzo were fixed as the Examiner alleges, one would not be able to turn them to open the door. As such, the device of Sconzo would not function if it worked as the Examiner argues.

In light of the foregoing, Sconzo does not teach or suggest each and every limitation of claim 21. As such, claim 21 is allowable. In addition, claim 22 depends from claim 21 and is also allowable.

Claim 24 defines a door handle assembly that is attachable to a door that defines an attachment surface. The door handle assembly includes a one-piece handle having a first end defining a first attachment portion and a second end defining a second attachment portion spaced a distance from the first attachment portion to couple the handle to the door. A base is fixedly attached to the second end. The base defines a slot. An attachment member is coupled to the second end to at least partially define the second attachment portion and has an orientation that is substantially fixed with respect to the second end. The attachment member is movable within a plane that is substantially parallel to the attachment surface to vary the distance between the first attachment portion and the second attachment portion. The attachment member includes a slider engaged with the slot and movable within the slot between a first position and a second position.

Sconzo does not teach or suggest, among other things, a one-piece handle having a first end defining a first attachment portion and a second end defining a second attachment portion spaced a distance from the first attachment portion to couple the handle to the door. Rather, Sconzo discloses a door latch assembly that includes a door knob 11 and a door

handle 12 interconnected by a square shaft 13. Two escutcheon assemblies 14 and 15 are coupled to one another and disposed on opposite sides of the door. In order to apply Sconzo to claim 21, the Examiner identifies the handle as including the door knob 11, the door handle 12, and the two escutcheon assemblies 14, 15. The Examiner argues that these four separate components when assembled are one piece. However, such a position is unsupportable as these four separate and distinct components are not made from one piece, nor could they be as the door knob 11 and door handle 12 must move with respect to the escutcheon assemblies 14, 15. The Examiner's application of Sconzo as an anticipatory reference requires the Examiner to apply no meaning to the phrase "one-piece" as, using the Examiner's definition, any assembly is one-piece when it is assembled. Such an interpretation is improper.

In light of the foregoing, Sconzo does not teach or suggest each and every limitation of claim 24. As such, claim 24 is allowable.

Claim 25 discloses a door handle assembly that is attachable to a door that defines an attachment surface. The door handle assembly includes a one-piece handle having a first end and a second end. The handle is coupled to the door. A base is fixedly attached to the second end. The base defines a slot. An attachment member is coupled to the second end and has an orientation that is substantially fixed with respect to the second end. The attachment member is movable within a plane that is substantially parallel to the attachment surface. The attachment member includes a slider engaged with the slot and movable within the slot between a first position and a second position. The attachment member is substantially T-shaped.

As discussed with regard to claim 24, Sconzo does not teach or suggest a door latch assembly that includes, among other things, a one-piece handle having a first end and a

second end. Rather, Sconzo discloses a handle that includes a door knob 11, a door handle 12, and two escutcheon assemblies 14, 15, as the handle has been defined by the Examiner. These four separate and distinct components cannot be considered a one-piece handle as recited in claim 25. Furthermore, these four separate components could not be formed as a single piece component as the door knob 11 and the door latch 12 must move with respect to one another and with respect to the escutcheon assemblies 14, 15.

In light of the foregoing, Sconzo does not teach or suggest each and every limitation of claim 25. As such, claim 25 is allowable.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that claims 1-9, 21-22, and 24-25 are allowable.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TJ Otterlee', with a stylized flourish at the end.

Thomas J. Otterlee
Reg. No. 48,652

Docket No.: 084554-9174-00
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560